740], decided by the Supreme Court of Idaho, December 24, 1956. The case is remanded to the Court of Appeals for proceedings consistent with this holding. MR. JUSTICE REED, MR. JUSTICE FRANKFURTER, MR. JUSTICE BURTON, and MR. JUSTICE HARLAN would not grant the petition for writ of certiorari, but in any event, upon its being granted, would vacate the judgment of the Court of Appeals and remand the case for reconsideration by that court in light of the decision of the Supreme Court of Idaho in the case of *Russell* v. *City of Idaho Falls*, [*supra*], decided by the latter court December 24, 1956, after the decision in the present case. *William D. Donnelly* for petitioners. *Bryan P. Leverich* for respondent. Reported below: 233 F. 2d 427.

No. 573. JOHNSON ET AL. *v.* UNION PACIFIC RAILROAD CO. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam:* The petition for writ of certiorari is granted and the judgment is reversed on the authority of *Russell* v. *City of Idaho Falls*, No. 8431 [78 Idaho ——, 305 P. 2d

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